

REMARKS

Claims 1-29 are currently pending. The Examiner has again rejected Claims 1-27 under 35 USC §112 as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-2, 4-8, 10-14, 16-22, and 24-29 have been rejected; and, Claims 3, 9, 15, and 23 are considered allowable but need to be rewritten to address the 112 concerns. Claims 1-2, 4-8, 10-14, and 16-28 have been canceled. Claims 3, 9, 15, and 29 remain and have been amended, where necessary, as discussed below. Applicants believe that all of those claims are allowable and in condition for allowance. Applicants respectfully assert that Claim 29 parallels Claim 3 and that it too is allowable and in condition for allowance.

In response to the rejection of claims under 35 USC §112, Applicants have again submitted amendments to the language of the rejected claims. With regard to the language of independent Claims 3 and 29, as well as all claims which depend therefrom, the Examiner has objected to the lack of units for dynamic hardness value and hardness value of plastic deformation. Hardness values are numbers, which are relative to a scale which begins at zero. The hardness values are not measures having defined units of measurements. Rather, they are relative values

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based on physical/mechanical testing (e.g., bouncing a known weight off of the material and determining how high the known weight bounces with respect to that material as compared to how high the same weight would bounce with respect to a control material having a hardness value which is defined as zero hardness). The Examiner's attention is directed to dynamic hardness discussions found at the following addresses on the world wide web: lot-oriel.com/pdf/all/mm_dynamic_hardness.pdf as well as at promprilad.com.ua/eng/tdm-1-eng.shtml. Each of those citations provides an overview of the measurement of dynamic hardness as a relative value, scaled to the material defined as having zero hardness. Applicants respectfully assert that it is appropriate to refer to hardness as a unitless value. Applicants further assert that the values which are set forth in the pending claims would be well understood by one having skill in the relevant art.

With respect to the language regarding spacers and columns, Applicants have amended the claims to recite a plurality of columns, each comprising a spacer, such that the later refined claim features regarding column occupancy ratios and spacer or column dimensions are consistent, have antecedent basis, and are definite. Applicants believe that the changes place all of the remaining claims in condition for allowance.

Based on the foregoing amendments and remarks, Applicants request entry of the amendments, withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,
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